C Spire Wireless
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December 5, 2011

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: ***WT Docket No. 11-18; RM-11592***

Dear Ms. Dortch:

On December 1, 2011, I spoke via telephone with Louis Peraertz, Legal Advisor to Commissioner Clyburn, regarding the 700 MHz interference study (the "Study") commissioned by several 700MHz Lower A Block licensees, including C Spire Wireless, and the summary of the Study recently submitted into the record by Vulcan Wireless in the above-referenced matters.[1] This notice expands on that discussion.

The Study demonstrates that AT&T's claimed theoretical justifications for its use of a boutique band class in the Lower 700 cannot be substantiated by actual data, which the Study provides.

The Study supports the Commission's approval of the AT&T-Qualcomm transaction with a condition that would restore the original Lower 700 MHz band plan. Specifically, The Commission should approve AT&T's purchase of the Qualcomm spectrum on the condition that AT&T utilize the original band class (3GPP Band Class 12) for all paired-spectrum deployments within the Lower 700MHz.[2]

The Study tested, in a real world setting, the underlying assumptions originally put forth regarding the need for a separate Band Class 17 in the Lower 700 MHz band. The Study also set out to test a series of unsubstantiated claims put forth by AT&T and Qualcomm regarding the technical feasibility and cost impact of possible conditions on the pending AT&T-Qualcomm acquisition. The Study included a combination of in-market field environmental measurements in Atlanta along with lab bench testing of AT&T 4G LTE devices.

The Study found that the anticipated interference circumstances were unfounded and the underlying assumptions put forth for a separate Lower 700 MHz Band Class 17 were overstated. The real world data confirms that the use of Band Class 12 would not lead to degraded service for Lower 700 MHz B &

[1] See, e.g., Vulcan Wireless *ex parte* Notice, filed November 30, 2011 in RM-11592 and WT Docket 11-18.

[2] This condition is far narrower than the full 700MHz relief C Spire Wireless has and continues to advocate for in RM-11592. That relief – full interoperability across the 700MHz band – should remain a policy goal of the Commission and we continue to urge the issuance of an NPRM in response to the Good Faith Purchasers Alliance's 26-month-old Petition for Rulemaking.

C Block users. The data demonstrates that different operators' systems in the Lower B and C Blocks actually pose a threat of interference to each other that is greater than any threat that would be introduced from a unified Lower 700 MHz band class that includes the A Block. Moreover, the AT&T devices tested proved that the device designs successfully handled these differences in signal levels. Thus, neither high power E Block transmissions nor Channel 51 transmissions present an interference threat. Specifically, AT&T LTE devices currently receive and successfully manage greater disparities in signal levels from within their B and C Blocks than need to be accounted for by incorporating the A Block. In addition, concerns and claims made about reverse intermodulation distortion interference were shown to be unfounded, as the commercially deployed AT&T devices did not experience such interference. Finally, unsubstantiated claims regarding the potential increase in cost or size of devices are inaccurate and misstated, as the current bill of materials costs will remain virtually unchanged.

In addition to the Study and its findings, actions at 3GPP, the international standards setting body for LTE, demonstrate a technical nexus between the subject matter of the AT&T-Qualcomm transaction (Lower D and E Block of the 700 MHz spectrum) and Band Class 12 (the Lower A, B, and C Blocks of 700MHz spectrum).

Just last month, Ericsson submitted a proposal to 3GPP regarding the specifications for use of the Lower D and E blocks of 700MHz (the "Qualcomm spectrum") in the manner proposed by AT&T. That proposal, a copy of which is attached, assumes that Band Class 12 operators will sacrifice over 5% of the uplink portion of the band class (or over 16% of the uplink of the Lower C block) in order to enable a deployment like AT&T has proposed to undertake on the Qualcomm spectrum. Specifically, the Ericsson proposal requires a deployment in which "carriers in Band 12 UL [uplink] are allocated below 715MHz and above 717MHz in LTE DL FDD 716-728 MHz [the Qualcomm spectrum]." In other words, Ericsson's proposal concludes that the way to facilitate a deployment like AT&T proposes for the Lower D and E blocks is for Band Class 12 licensees to sacrifice as a "guard band" 1 full MHz of the spectrum within that band class.

As seen in the attached 3GPP submission from Alcatel Lucent (presented in August of 2011), Ericsson is not unique in its view that a 1 MHz guard band from 715 – 716 MHz is necessary to allow AT&T's proposed use of the Lower 700 MHz D Block.

Pursuant to Section 1.1206(b) of the Commission's rules, I am filing this notice electronically in the above-referenced docket.

Sincerely,

Benjamin M. Moncrief
Manager, Public Policy
C Spire Wireless

cc: Louis Peraertz (via e-mail)

Enclosures